

New Jersey

Adoption Assistance- Who Do You Contact?

State Contact information

<p style="text-align: center;">Adoption Assistance Specialist</p> <p>NAME: Mary Lou Sweeney</p> <p>ADDRESS: Department of Human Services Division of Youth and Family Services Office of Adoption Operations P.O. Box 717 Trenton, New Jersey 08625</p> <p>E-MAIL: Mary.Sweeney@dhs.state.nj.us</p> <p>TELEPHONE: 609.633.3991</p>	<p style="text-align: center;">ICAMA Compact Administrator Or Contact</p> <p>NAME: Benita Rommel</p> <p>ADDRESS: Department of Human Services Division of Youth and Family Services Interstate Services Unit P.O. Box 717 Trenton, New Jersey 08625</p> <p>E-MAIL: Benita.Rommel@dhs.state.nj.us</p> <p>TELEPHONE: 609.292.0010</p>
<p style="text-align: center;">Adoption Program Manager Or Contact</p> <p>NAME: Daryl Bender</p> <p>ADDRESS: Department of Human Services Division of Youth and Family Services Office of Adoption Operations P.O. Box 717 Trenton, New Jersey 08625</p> <p>E-MAIL: Daryl.Bender@dhs.state.nj.us</p> <p>TELEPHONE: 609.984.6080</p>	<p style="text-align: center;">ICPC Compact Administrator Or Contact</p> <p>NAME: Benita Rommel</p> <p>ADDRESS: Department of Human Services Division of Youth and Family Services Interstate Services Unit P.O. Box 717 Trenton, New Jersey 08625</p> <p>E-MAIL: Benita.Rommel@dhs.state.nj.us</p> <p>TELEPHONE: 609.292.0010</p>
<p style="text-align: center;">Post Adoption Services Contact</p> <p>NAME: Ellen Kelly</p> <p>ADDRESS: Northern Adoption Resource Center 22 Mill Street Paterson, New Jersey 07501</p> <p>E-MAIL: ellen.kelly@dhs.state.nj.us</p> <p>TELEPHONE: 973.742.0063</p> <p>Or contact the NJ ARCH at www.njarch.org or phone 973.736.2041</p>	<p style="text-align: center;">Medical Assistance Specialist</p> <p>NAME: Anne Gumbs</p> <p>ADDRESS: Department of Human Services Division of Youth and Family Services Child Health Unit P.O. Box 717 Trenton, New Jersey 08625</p> <p>EMAIL: Anne.Gumbs@dhs.state.nj</p> <p>TELEPHONE: 609.984.9659</p>

Adoption Assistance- Who is Eligible?

A good place to start. Public adoption in New Jersey is administered by the Department of Human Services (DHS), Division of Youth and Family Services (DYFS). DHS, DYFS, and adoption links: www.state.nj.us/humanservices/index.shtml, www.state.nj.us/humanservices/dyfs/ and www.njadopt.org (See *The Path to Adoption*). Or phone 800.99. ADOPT (800.992. 3678).

1. What specific factors or conditions does your state consider to determine that a child cannot be placed with adoptive parents without providing financial assistance? (*"What is your state definition of special needs?"*)

A child with special needs is defined as a child that has at least one of the following needs or circumstances that may be a barrier to placement or adoption without financial assistance:

- Ten years of age or older
- Two years of age or older and a member of an ethnic group for whom adoptive homes are not readily available
- Five years of age or older and living with foster parents for at least twelve months and adoption by the foster parents is the most appropriate plan for the child. Note: A child less than five years of age may qualify for adoption assistance under this subsection if s/he is a member of an ethnic group for whom adoptive homes are not readily available
- Member of a sibling group (including half-siblings) of three or more children and it is considered necessary that the group be placed together
- Member of one of two siblings (including half siblings) one of whom is hard to place, and it is considered most appropriate that the children be placed together, although it is not necessary that the children be placed at the same time
- Diagnosed emotional or behavioral problem, psychiatric disorder, serious intellectual incapacity or brain damage which seriously affects the child's ability to relate to his peers or authority figures, including but not limited to a developmental disability
- Any physical handicap, by reason of physical defect or deformity, whether congenital (present at birth) or acquired by accident, injury or disease, which makes or may be expected to make a child totally or partially incapacitated for education or to secure and hold paid employment
- Any medical or dental condition which will require repeated or frequent hospitalization, or treatment
- Any substantial disfigurement, such as the loss or deformation of facial features, torso or extremities
- Any other condition which may be approved by the Director of the Division of Youth and Family services

2. What are the eligibility criteria for your state-funded adoption assistance program?

In order to be eligible for state-funded adoption assistance a child must be a special needs child as defined above.

3. What is the maximum amount a family may receive in non-recurring adoption expenses from your state? Adoptive parents can receive reimbursement of certain approved, "one-time" adoption expenses incurred in the process of finalizing a special needs adoption.

\$2,000.00 per child

4. Does your state enter into deferred adoption assistance agreements? In some states, adoptive parents can enter into an agreement in which they choose to defer the receipt of a Medicaid card, the monthly monetary payment, or both and can elect to receive the Medicaid card and/or monetary payment at another time.

New Jersey does not offer deferred adoption assistance. A family may return after adoption finalization and request consideration for adoption assistance if the child develops a condition that may make him/her eligible. See Question # 6 for further information.

5. When may adoption assistance payments and benefits begin in your state?

Adoption assistance payments and benefits may begin in New Jersey at adoption placement. In private agency cases, assistance begins the date the DYFS receives the application for adoption assistance from the private agency or the date of placement, whichever is later.

6. How are changes made to the adoption assistance agreement in your state?

- a. When can a parent request a change in the adoption assistance agreement?
- b. How does a parent request a change in the adoption assistance agreement?
- c. What if a parent does not receive the change they request in the adoption assistance agreement?

Adoptive parents can request a change in the adoption assistance agreement whenever the special needs or conditions of the child change and are traceable to the time before the adoption. To request a change, parents must submit a written request and written documentation, such as evaluations, of the reason for the request to the Manager of their local Adoption Resource Center. Modifications may be made to the agreement when a child's special condition improves or ceases to exist, or when a child's condition worsens. A child's history or behavior may make it likely that residential placement or special therapies will be needed and the adoption assistance agreement can be amended to accommodate for a need that arises in the future. If a parent disagrees with the decision that is made, they may request a Regional Dispositional Conference from the Manager of their local Adoption Resource Center, which may be followed by an Administrative Hearing (fair hearing). See Question #10 for information regarding fair hearings.

Adoption Assistance- Post Adoption Services

7. What types of post adoption services are available in your state and how do I find out more about them?

Post adoption services in New Jersey are administered by the Department of Human Services, Division of Youth and Family Services, Office of Adoption Opportunities through contracted, non-profit agencies. Six regional Adoption Resource Centers (ARC) and independent parent organizations offer post adoption services that include the following examples:

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| 1. Information and referral | 4. Support groups | 7. Adoption Registry (search services) |
| 2. Educational programs | 5. Advocacy | 8. Behavioral supports |
| 3. Educational materials | 6. Respite | 9. Post Adoption Counseling Services (PACs) |

New Jersey has a new resource/referral/warm line/advocacy program, New Jersey Adoption Resource Clearinghouse, operated through contract by a non-profit agency for families to directly access information and services through the Internet or by phone. Clearinghouse link: www.njarch.org, or phone: 973.736.041. For Adoption Resource Centers, see Additional Resources under New Jersey Agencies, link:

www.njadopt.org (See DYFS Regional Adoption Resource Centers). Contact should be made with the ARC that handles the catchment area in which the parent lives. Many organizations offer a variety of respite options. New Jersey's Respite Programs link: www.respitelocator.org/n3states.htm. Contact mediation/search services through the DYFS Adoption Registry link: www.njadopt.org (See Registry)

Note: Not all services may be available in all cases. Contact your adoption assistance worker or post adoption services contact for information regarding process, eligibility, availability, and duration of services.

Adoption Assistance- Medical Assistance

8. What mental health services are provided by your state?

Public mental health services for children in New Jersey are administered by the Department of Human Services and coordinated through several sources within DHS. Children's Mental Health Services include the following examples: individual and family counseling, mental health services, prescription drugs, respite care, residential treatment, mentoring, and assistance with educational issues.

The Partnership for Children seeks to help emotionally disturbed children and their families get all of the services they need, by coordinating those services for them, across all child-serving systems in the state. Partnership for Children links: www.njkidsoc.org/ and www.njkidsoc.org/overview/overview-fs.htm (Frequently Asked Questions) or phone: 609.292.4741.

Intensive therapeutic placement services for children with severe mental illness may also be coordinated through the Department of Human Services (DHS), Division of Mental Health Services (DMHS), link: www.state.nj.us/humanservices/dmhs/index.html. See *How to Receive Services in the Public Mental Health System*, link: www.state.nj.us/humanservices/dmhs/receivingmhservices.html and the DMHS *Getting Help* contacts link: www.state.nj.us/humanservices/dmhs/gettinghelp.html. New Jersey's Medicaid Hotline: 800.356.1561.

Note: Not all services may be available in all cases. Contact your adoption assistance worker or medical assistance specialist for information regarding process, eligibility, availability, and duration of services.

9. Does your state provide additional finances or services for medical or therapeutic needs not covered under your state medical plan for children receiving adoption assistance?

New Jersey offers what is known as a *Special Service Subsidy*. The Department of Youth and Family Services is responsible for the cost of services and items necessary to meet the special needs of the child. Funding for the *Special Service Subsidy* is available for necessary services that are unable to be met through Medicaid. The need for such services and devices should be outlined in the adoption assistance agreement. Services include the following examples: physical and speech therapy, customized devices/appliances, and special training designed to address the child's specific needs.

Note: Not all services may be available in all cases. Contact your adoption assistance worker for information regarding process, eligibility, availability, and duration of services.

Adoption Assistance- Fair Hearings

10. What is your state's process for applying for a fair hearing? A fair hearing is a legal, administrative procedure that provides a forum to address disagreements with agency decisions.

Adoptive parents can request a Regional Dispositional Hearing whenever a Division of Youth and Family Services' decision adversely affects their child's adoption assistance benefits. Requests can be made verbally or in writing to the Manager of their local Adoption Resource Center within ten business days of the adverse decision. If the parent is dissatisfied with the decision made following the Regional Dispositional Conference, they may make a written request for an administrative hearing to the Division's Administrative Hearings Unit within fifteen calendar days of the decision. The Division's Administrative Hearings Unit will transmit requests for hearings to the Office of Administrative Law, which conducts all such hearings. Following receipt of the Initial Decision for the Office of Administrative Law, the Division Director will issue a Final Decision that accepts, rejects, or modifies the Initial Decision. The Adoptive parents will receive a copy of the Final Decision. Send requests for fair hearing to the following address:

Division of Youth and Family Services
Administrative Hearings Unit
P.O. Box 717
Trenton, New Jersey 08625

Adoption Assistance- Web/Internet Information

11. What is your state Web address for general adoption information?

New Jersey's general adoption link: www.njadopt.org/

12. What is your state Web address for adoption assistance information?

New Jersey's adoption assistance link: www.state.nj.us/humanservices/adoption/adoptionframe.html (See *Adoption Subsidy*)

13. What is your state Web address for state-specific medical assistance information for children?

New Jersey's state-specific medical assistance links: www.state.nj.us/humanservices/health_care.html and www.state.nj.us/humanservices/dmahs/dhsmed.html (Medicaid link)